

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

OPERATING ENGINEERS' LOCAL 324 PENSION
FUND, OPERATING ENGINEERS' LOCAL 324 HEALTH
CARE PLAN, OPERATING ENGINEERS' LOCAL
324 VACATION & HOLIDAY FUND, OPERATING
ENGINEERS' LOCAL 324 RETIREE BENEFIT FUND,
OPERATING ENGINEERS' LOCAL 324 APPRENTICESHIP
FUND, and OPERATING ENGINEERS' LOCAL 324
DEFINED CONTRIBUTION PLAN,
Trust Funds Established and Administered

Plaintiffs,

v.

Case No. 05-73682

Hon. PATRICK J. DUGGAN

VULCAN IRON WORKS, INC., a Michigan
Corporation, VULCAN IRON, LLC., a Michigan
Limited Liability Company, JIM R. EDWARDS,
and MICHAEL A. JOHN JR., Individually.

Defendants.

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CONSENT JUDGMENT

At a session of court held in the City of Detroit,
Wayne County, Michigan on October 4, 2005.

PRESENT: Hon. Patrick J. Duggan
U.S. District Court Judge

Defendants, VULCAN IRON WORKS, INC., by and through its President, Jim R.
Edwards; VULCAN IRON, LLC., by and through its managing member, Jim R. Edwards, and

JIM R. EDWARDS, individually, consent to entry of a Judgment in favor of Plaintiffs in the amount of Fifteen Thousand Ninety Six and 40/100 (\$15,096.40) Dollars.

The above named Defendants also consent to Plaintiffs moving to have this Honorable Court amend this Consent Judgment to include the mandates of 29 USC §1132(g)(2) plus liquidated damages pursuant to the Collective Bargaining Agreement upon further submissions to the Court by Plaintiffs. Said mandates of 29 USC §1132(g)(2) include:

- A. Interest on the unpaid contributions;
- B. An amount equal to the greater of:
 - i. interest on the unpaid contributions; or
 - ii. liquidated damages provided for under the plan.
- C. Reasonable attorney fees and costs of the action; and
- D. Such other legal or equitable relief as this court deems appropriate.

It is further consented and therefore ordered, that the Corporate Defendant will undergo an audit and this Judgment will be amended to conform with same.

It is also further consented to and thereby ordered that this Honorable Court maintain jurisdiction of this matter until the Judgment amount is satisfied.

s/PATRICK J. DUGGAN
U.S. District Court Judge

s/ David J. Selwocki w/signed consent of
Jim R. Edwards, President
Vulcan Iron Works, Inc.

s/ David J. Selwocki
David J. Selwocki P51375
Attorney for Plaintiffs

s/ David J. Selwocki w/signed consent of
Jim R. Edwards, Managing Member
Vulcan Iron, LLC

s/ David J. Selwocki w/signed consent of
Jim R. Edwards, Individually